

which the business could have provided had the injury not occurred.

(b) Loan proceeds may not be used to:

(1) Refinance indebtedness which you incurred prior to September 11, 2001;

(2) Make payments on loans owned by another federal agency (including SBA) or a Small Business Investment Company licensed under the Small Business Investment Act;

(3) Pay, directly or indirectly, any obligations resulting from a federal, state or local tax penalty as a result of negligence or fraud, or any non-tax criminal fine, civil fine, or penalty for non-compliance with a law, regulation, or order of a federal, state, regional, or local agency or similar matter;

(4) Repair physical damage; or

(5) Pay dividends or other disbursements to owners, partners, officers, or stockholders, except for reasonable remuneration directly related to their performance of services for the business.

**§ 123.605 How long do I have to apply for a loan under this subpart?**

You have until January 22, 2002 to apply for a loan under this subpart. Your application must be postmarked no later than this date. SBA has the discretion, for good cause, to extend the application deadline by publication of a notice in the FEDERAL REGISTER.

**§ 123.606 May I request an increase in the amount of an economic injury disaster loan under this subpart?**

Yes. Notwithstanding § 123.20, you may request an increase in the amount of an economic injury disaster loan under this subpart not later than one year after the date SBA approves your initial request.

**PART 124—8(a) BUSINESS DEVELOPMENT/SMALL DISADVANTAGED BUSINESS STATUS DETERMINATIONS**

**Subpart A—8(a) Business Development**

**PROVISIONS OF GENERAL APPLICABILITY**

Sec.

124.1 What is the purpose of the 8(a) Business Development program?

124.2 What length of time may a business participate in the 8(a) BD program?

124.3 What definitions are important in the 8(a) BD program?

**ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE 8(a) BUSINESS DEVELOPMENT PROGRAM**

124.101 What are the basic requirements a concern must meet for the 8(a) BD program?

124.102 What size business is eligible to participate in the 8(a) BD program?

124.103 Who is socially disadvantaged?

124.104 Who is economically disadvantaged?

124.105 What does it mean to be unconditionally owned by one or more disadvantaged individuals?

124.106 When do disadvantaged individuals control an applicant or Participant?

124.107 What is potential for success?

124.108 What other eligibility requirements apply for individuals or businesses?

124.109 Do Indian tribes and Alaska Native Corporations have any special rules for applying to the 8(a) BD program?

124.110 Do Native Hawaiian Organizations have any special rules for applying to the 8(a) BD program?

124.111 Do Community Development Corporations (CDCs) have any special rules for applying to the 8(a) BD program?

124.112 What criteria must a business meet to remain eligible to participate in the 8(a) BD program?

**APPLYING TO THE 8(a) BD PROGRAM**

124.201 May any business submit an application?

124.202 Where must an application be filed?

124.203 What must a concern submit to apply to the 8(a) BD program?

124.204 How does SBA process applications for 8(a) BD program admission?

124.205 Can an applicant ask SBA to reconsider SBA's initial decision to decline its application?

124.206 What appeal rights are available to an applicant that has been denied admission?

124.207 Can an applicant reapply for admission to the 8(a) BD program?

**EXITING THE 8(a) BD PROGRAM**

124.301 What are the ways a business may leave the 8(a) BD program?

124.302 What is early graduation?

124.303 What is termination?

124.304 What are the procedures for early graduation and termination?

124.305 What is suspension and how is a Participant suspended from the 8(a) BD program?

**BUSINESS DEVELOPMENT**

124.401 Which SBA field office services a Participant?